

1 **PART I.**

2  
3 **DEFINITIONS.**

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5 **18 VAC 130-20-10. Definitions.**

6  
7 The following words and terms, when used in this chapter, unless a different meaning is  
8 provided or is plainly required by the context, shall have the following meanings:

9  
10 *"Accredited colleges, universities, junior and community colleges"* means those accredited  
11 institutions of higher learning approved by the Virginia Council of Higher Education or  
12 listed in the Transfer Credit Practices of Designated Educational Institutions, published by  
13 the American Association of Collegiate Registrars and Admissions Officers or a recognized  
14 international equivalent.

15  
16 *"Adult distributive or marketing education programs"* means those programs offered at  
17 schools approved by the Virginia Department of Education or any other local, state, or  
18 federal government agency, board or commission to teach adult education or marketing  
19 courses.

20  
21 *"Analysis"* means a study of real estate or real property other than the estimation of value.

22  
23 *"Appraisal Foundation"* means the foundation incorporated as an Illinois Not for Profit

1 Corporation on November 30, 1987, to establish and improve uniform appraisal standards by  
2 defining, issuing and promoting such standards.

3  
4 *"Appraisal Subcommittee"* means the designees of the heads of the federal financial  
5 institutions regulatory agencies established by the Federal Financial Institutions Examination  
6 Council Act of 1978 (12 USC § 3301 et seq.), as amended.

7  
8 *"Appraiser"* means ~~[any person one who, for valuable consideration or with the intent or~~  
9 ~~expectation of receiving the same from another, engages in real estate appraisal activity on~~  
10 ~~any type of property is expected to perform valuation services competently and in a manner~~  
11 ~~that is independent, impartial and objective].~~

12  
13 *"Appraiser classification"* means any category of appraiser which the board creates by  
14 designating criteria for qualification for such category and by designating the scope of  
15 practice permitted for such category.

16  
17 *"Appraiser Qualifications Board"* means the board created by the Appraisal Foundation to  
18 establish appropriate criteria for the certification and recertification of qualified appraisers by  
19 defining, issuing and promoting such qualification criteria; to disseminate such qualification  
20 criteria to states, governmental entities and others; and to develop or assist in the  
21 development of appropriate examinations for qualified appraisers.

22  
23 *"Appraiser Trainee"* means an individual who is licensed as an appraiser trainee to appraise

1 those properties which the supervising appraiser is permitted to appraise.

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3 "*Business entity*" means any corporation, partnership, association or other business entity  
4 under which appraisal services are performed.

5

6 "*Certified general real estate appraiser*" means an individual who meets the requirements  
7 for licensure that relate to the appraisal of all types of real estate and real property and is  
8 licensed as a certified general real estate appraiser.

9

10 "*Certified instructor*" means an individual holding an instructor certificate issued by the Real  
11 Estate Appraiser Board to act as an instructor.

12

13 "*Certified residential real estate appraiser*" means an individual who meets the requirements  
14 for licensure for the appraisal of any residential real estate or real property of one to four  
15 residential units regardless of transaction value or complexity. Certified residential real  
16 estate appraisers may also appraise nonresidential properties with a transaction value up to  
17 \$250,000.

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19 "*Classroom hour*" means 50 minutes out of each 60-minute segment. The prescribed  
20 number of classroom hours includes time devoted to tests which are considered to be part of  
21 the course.

22

23 "*Distance education*" means an educational process based on the geographical separation of

1 provider and student (i.e., CD-ROM, on-line learning, correspondence courses, etc.).

2  
3 *"Experience"* as used in this chapter includes but is not limited to experience gained in the  
4 performance of traditional appraisal assignments, or in the performance of the following: fee  
5 and staff appraisals, ad valorem tax appraisal, review appraisal, appraisal analysis, real estate  
6 [~~counseling~~ consulting], highest and best use analysis, and feasibility analysis/study.

7  
8 For the purpose of this chapter experience has been divided into four major categories: (i) fee  
9 and staff appraisal, (ii) ad valorem tax appraisal, (iii) review appraisal, and (iv) real estate  
10 [~~counseling~~ consulting].

11  
12 1. *"Fee/staff appraiser experience"* means experience acquired as either a sole  
13 appraiser[, or] as a cosigner[, or through disclosure of assistance in the certification  
14 in accordance with the Uniform Standards of Professional Appraisal Practice].

15  
16 Sole appraiser experience is experience obtained by an individual who makes  
17 personal inspections of real estate, assembles and analyzes the relevant facts, and by  
18 the use of reason and the exercise of judgment, forms objective opinions and  
19 prepares reports as to the market value or other properly defined value of identified  
20 interests in said real estate.

21  
22 Cosigner appraiser experience is experience obtained by an individual who signs an  
23 appraisal report prepared by another, thereby accepting full responsibility for the

1 content and conclusions of the appraisal.

2

3 To qualify for fee/staff appraiser experience, an individual must have prepared  
4 written appraisal reports which meet minimum standards. For appraisal reports dated  
5 prior to July 1, 1991, these minimum standards include the following (if any item is  
6 not applicable, the applicant shall adequately state the reasons for the exclusions):

7

8 a. An adequate identification of the real estate and the interests being appraised;

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10 b. The purpose of the report, date of value, and date of report;

11

12 c. A definition of the value being appraised;

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14 d. A determination of highest and best use;

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16 e. An estimate of land value;

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18 f. The usual valuation approaches for the property type being appraised or the  
19 reason for excluding any of these approaches;

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21 g. A reconciliation and conclusion as to the property's value;

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23 h. Disclosure of assumptions or limiting conditions, if any; and

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i. Signature of appraiser.

For appraisal reports dated subsequent to July 1, 1991, the minimum standards for written appraisal reports are those as prescribed in Standard 2 of the Uniform Standards of Professional Appraisal Practice in the edition in effect at the time of the reports' preparation.

2. *"Ad valorem tax appraisal experience"* means experience obtained by an individual who assembles and analyzes the relevant facts, and who correctly employs those recognized methods and techniques that are necessary to produce and communicate credible appraisals within the context of the real property tax laws. Ad valorem tax appraisal experience may be obtained either through individual property appraisals or through mass appraisals as long as applicants under this category of experience can demonstrate that they are using techniques to value real property similar to those being used by fee/staff appraisers and that they are effectively utilizing the appraisal process.

To qualify for ad valorem tax appraisal experience for individual property appraisals, an individual must have prepared written appraisal reports which meet minimum standards. For appraisal reports dated prior to July 1, 1991, these minimum standards include the following (if any item is not applicable, the applicant shall adequately state the reasons for the exclusions):

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- a. An adequate identification of the real estate and the interests being appraised;
- b. The effective date of value;
- c. A definition of the value being appraised if other than fee simple;
- d. A determination of highest and best use;
- e. An estimate of land value;
- f. The usual valuation approaches for the property type being appraised or the reason for excluding any of these approaches;
- g. A reconciliation and conclusion as to the property's value;
- h. Disclosure of assumptions or limiting conditions, if any.

For appraisal reports dated subsequent to July 1, 1991, the minimum standards for written appraisal reports are those as prescribed in the Uniform Standards of Professional Appraisal Practice in the edition in effect at the time of the reports' preparation.

1 To qualify for ad valorem tax appraisal experience for mass appraisals, an individual  
2 must have prepared mass appraisals or have documented mass appraisal files which  
3 meet minimum standards. For mass appraisals dated prior to July 1, 1991, these  
4 minimum standards include the following (if any item is not applicable, the applicant  
5 shall adequately state the reasons for the exclusions):

- 6
- 7 a. An adequate identification of the real estate and the interests being appraised;
  - 8
  - 9 b. The effective date of value;
  - 10
  - 11 c. A definition of the value being appraised if other than fee simple;
  - 12
  - 13 d. A determination of highest and best use;
  - 14
  - 15 e. An estimate of land value;
  - 16
  - 17 f. Those recognized methods and techniques that are necessary to produce a  
18 credible appraisal.
  - 19

20 For mass appraisal reports dated subsequent to July 1, 1991, the minimum standards  
21 for these appraisal reports are those as prescribed in Standard 6 of the Uniform  
22 Standards of Professional Appraisal Practice in the edition in effect at the time of the  
23 reports' preparation.

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In addition to the preceding, to qualify for ad valorem tax appraisal experience, the applicant's experience log must be attested to by the applicant's supervisor.

3. *"Reviewer experience"* means experience obtained by an individual who examines the reports of appraisers to determine whether their conclusions are consistent with the data reported and other generally known information. An individual acting in the capacity of a reviewer does not necessarily make personal inspection of real estate, but does review and analyze relevant facts assembled by fee/staff appraisers, and by the use of reason and exercise of judgment, forms objective conclusions as to the validity of fee/staff appraisers' opinions. Reviewer experience shall not constitute more than 1,000 hours of total experience claimed and at least 50% of the review experience claimed must be in field review wherein the individual has personally inspected the real property which is the subject of the review.

To qualify for reviewer experience, an individual must have prepared written reports recommending the acceptance, revision, or rejection of the fee/staff appraiser's opinions, which written reports must meet minimum standards. For appraisal reviews dated prior to July 1, 1991, these minimum standards include the following (if any item is not applicable, the applicant shall adequately state the reasons for the exclusions):

a. An identification of the report under review, the real estate and real property

1 interest being appraised, the effective date of the opinion in the report under  
2 review, and the date of the review;

3

4 b. A description of the review process undertaken;

5

6 c. An opinion as to the adequacy and appropriateness of the report being  
7 reviewed, and the reasons for any disagreement;

8

9 d. An opinion as to whether the analyses, opinions, and conclusions in the  
10 report under review are appropriate and reasonable, and the development of  
11 any reasons for any disagreement;

12

13 e. Signature of reviewer.

14

15 For appraisal review reports dated subsequent to July 1, 1991, the minimum  
16 standards for these appraisal reports are those as prescribed in Standard 3 of the  
17 Uniform Standards of Professional Appraisal Practice in the edition in effect at the  
18 time of the reports' preparation.

19

20 Signing as "Review Appraiser" on an appraisal report prepared by another will not  
21 qualify an individual for experience in the reviewer category. Experience gained in  
22 this capacity will be considered under the Cosigner subcategory of Fee/staff  
23 appraiser experience.

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4. "Real estate [~~counseling~~ consulting] experience" means experience obtained by an individual who assembles and analyzes the relevant facts and by the use of reason and the exercise of judgment, forms objective opinions concerning matters other than value estimates relating to real property. Real estate [~~counseling~~ consulting] experience includes, but is not necessarily limited to, the following:

- |                             |                               |
|-----------------------------|-------------------------------|
| Absorption Study            | Ad Valorem Tax Study          |
| Annexation Study            | Assemblage Study              |
| Assessment Study            | Condominium Conversion Study  |
| Cost-Benefit Study          | Cross Impact Study            |
| Depreciation/Cost Study     | Distressed Property Study     |
| Economic Base Analysis      | Economic Impact Study         |
| Economic Structure Analysis | Eminent Domain Study          |
| Feasibility Study           | Highest and Best Use Study    |
| Impact Zone Study           | Investment Analysis Study     |
| Investment Strategy Study   | Land Development Study        |
| Land Suitability Study      | Land Use Study                |
| Location Analysis Study     | Market Analysis Study         |
| Market Strategy Study       | Market Turning Point Analysis |
| Marketability Study         | Portfolio Study               |
| Rehabilitation Study        | Remodeling Study              |
| Rental Market Study         | Right of Way Study            |

1                                    Site Analysis Study                                    Utilization Study  
2                                    Urban Renewal Study                                    Zoning Study

3  
4                                    To qualify for real estate [~~counseling~~ consulting] experience, an individual must have  
5                                    prepared written reports which meet minimum standards. For real estate [~~counseling~~  
6                                    consulting] reports dated prior to July 1, 1991, these minimum standards include the  
7                                    following (if any item is not applicable, the applicant shall so state the reasons for the  
8                                    exclusions):

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- 10                                    a.        A definition of the problem;
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  - 12                                    b.        An identification of the real estate under consideration (if any);
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  - 14                                    c.        Disclosure of the client's objective;
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  - 16                                    d.        The effective date of the consulting assignment and date of report;
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  - 18                                    e.        The information considered, and the reasoning that supports the analyses,  
19                                    opinions, and conclusions;
  - 20
  - 21                                    f.        Any assumptions and limiting conditions that affect the analyses, opinions,  
22                                    and conclusions;

23

1           g.       Signature of [~~real estate counselor~~ appraiser].

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3           For real estate [~~counseling~~ consulting] reports dated subsequent to July 1, 1991, the  
4           minimum standards for these appraisal reports are those as prescribed in Standard 4  
5           of the Uniform Standards of Professional Appraisal Practice in the edition in effect at  
6           the time of the reports' preparation. Real estate [~~counseling~~ consulting] shall not  
7           constitute more than 500 hours of experience for any type of appraisal license.

8  
9           "Inactive license" means a license that has been renewed without meeting the continuing  
10          education requirements specified in this chapter. Inactive licenses do not meet the  
11          requirements set forth in § 54.1-2011 of the Code of Virginia.

12  
13          "Licensed residential real estate appraiser" means an individual who meets the requirements  
14          for licensure for the appraisal of any noncomplex, residential real estate or real property of  
15          one to four residential units, including federally related transactions, where the transaction  
16          value is less than \$1 million. Licensed residential real estate appraisers may also appraise  
17          noncomplex, nonresidential properties with a transaction value up to \$250,000.

18  
19          "Licensee" means any individual holding a an active license issued by the Real Estate  
20          Appraiser Board to act as a certified general real estate appraiser, certified residential real  
21          estate appraiser, licensed residential real estate appraiser, or appraiser trainee as defined,  
22          respectively, in § 54.1-2009 of the Code of Virginia and in this chapter.

1           *"Local, state or federal government agency, board or commission"* means an entity  
2           established by any local, federal or state government to protect or promote the health, safety  
3           and welfare of its citizens.

4  
5           *"Proprietary school"* means a privately owned school offering appraisal or appraisal related  
6           courses approved by the board.

7  
8           *"Provider"* means accredited colleges, universities, junior and community colleges; adult  
9           distributive or marketing education programs; local, state or federal government agencies,  
10          boards or commissions; proprietary schools; or real estate appraisal or real estate related  
11          organizations.

12  
13          *"Real estate appraisal activity"* means the act or process of valuation of real property or  
14          preparing an appraisal report.

15  
16          *"Real estate appraisal or real estate related organization"* means any appraisal or real estate  
17          related organization formulated on a national level, where its membership extends to more  
18          than one state or territory of the United States.

19  
20          *"Reciprocity agreement"* means a conditional agreement between two or more states that  
21          will recognize one another's regulations and laws for equal privileges for mutual benefit.

22  
23          *"Registrant"* means any corporation, partnership, association or other business entity which

1 provides appraisal services and which is registered with the Real Estate Appraiser Board in  
2 accordance with § 54.1-2011.E of the Code of Virginia.

3  
4 "*Reinstatement*" means having a license or registration restored to effectiveness after the  
5 expiration date has passed.

6  
7 "*Renewal*" means continuing the effectiveness of a license or registration for another period  
8 of time.

9  
10 "*Sole proprietor*" means any individual, but not a corporation, partnership or association,  
11 who is trading under his or her own name, or under an assumed or fictitious name pursuant  
12 to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

13  
14 "*Substantially equivalent*" is any educational course or seminar, experience, or examination  
15 taken in this or another jurisdiction which is equivalent in classroom hours, course content  
16 and subject, and degree of difficulty, respectively, to those requirements outlined in this  
17 chapter and Chapter 20.1 (§ 54.1-2009 et seq.) of Title 54.1 of the Code of Virginia for  
18 licensure and renewal.

19  
20 "*Supervising appraiser*" means any individual holding a license issued by the Real Estate  
21 Appraiser Board to act as a certified general real estate appraiser, certified residential real  
22 estate appraiser, or licensed residential real estate appraiser who supervises any unlicensed  
23 person acting as a real estate appraiser or an appraiser trainee as specified in this chapter.

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*"Transaction value"* means the monetary amount of a transaction which may require the services of a certified or licensed appraiser for completion. The transaction value is not always equal to the market value of the real property interest involved. For loans or other extensions of credit, the transaction value equals the amount of the loan or other extensions of credit. For sales, leases, purchases and investments in or exchanges of real property, the transaction value is the market value of the real property interest involved. For the pooling of loans or interests in real property for resale or purchase, the transaction value is the amount of the loan or the market value of real property calculated with respect to each such loan or interest in real property.

*"Uniform Standards of Professional Appraisal Practice"* means those standards promulgated by the Appraisal Standards Board of the Appraisal Foundation for use by all appraisers in the preparation of appraisal reports.

*"Valuation"* means an estimate [or opinion] of the value of real property.

*"Valuation assignment"* means an engagement for which an appraiser is employed or retained to give an analysis, opinion or conclusion that results in an estimate [or opinion] of the value of an identified parcel of real property as of a specified date.

*"Waiver"* means the voluntary, intentional relinquishment of a known right.

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**PART II.**

**ENTRY.**

**18 VAC 130-20-20. Requirement for registration.**

A business entity seeking to provide appraisal services shall register with the board by completing an application furnished by the board describing the location, nature and operation of its practice, and the name and address of the registered agent, an associate, or a partner of the business entity. Along with a completed application form, domestic corporations shall provide a copy of the Certificate of Incorporation as issued by the State Corporation Commission, foreign (out-of-state) corporations shall provide a copy of the Certificate of Authority from the State Corporation Commission, partnerships shall provide a copy of a certified Partnership Certificate; and other business entities trading under a fictitious name shall provide a copy of the certificate filed with the clerk of the court where business is to be conducted.

**18 VAC 130-20-30. General qualifications for licensure.**

Every applicant to the Real Estate Appraiser Board for a certified general, certified residential, or licensed residential real estate appraiser license shall meet the following qualifications:

- 1           1.     The applicant shall be of good moral character, honest, truthful, and competent to  
2                   transact the business of a licensed real estate appraiser in such a manner as to  
3                   safeguard the interests of the public.  
4
- 5           2.     The applicant shall meet the current educational and experience requirements and  
6                   submit a license application to the Department of Professional and Occupational  
7                   Regulation or its agent prior to the time the applicant is approved to take the  
8                   licensing examination. Applications received by the department or its agent must be  
9                   complete within 12 months of the date of the receipt of the license application and  
10                  fee by the Department of Professional and Occupational Regulation or its agent.  
11
- 12          3.     The applicant shall sign[,] as part of the application, [an affidavit certifying a  
13                  statement verifying] that the applicant has read and understands the Virginia real  
14                  estate appraiser license law and the regulations of the Real Estate Appraiser Board.  
15
- 16          4.     The applicant shall be in good standing as a real estate appraiser in every jurisdiction  
17                  where licensed or certified; the applicant may not have had a license or certification  
18                  which was suspended, revoked or surrendered in connection with a disciplinary  
19                  action or which has been the subject of discipline in any jurisdiction prior to applying  
20                  for licensure in Virginia.  
21
- 22          ~~5.~~     The applicant may not have been convicted, found guilty or pled guilty, regardless of  
23                  adjudication, in any jurisdiction of a misdemeanor involving moral turpitude or of

1           any felony. Any plea of nolo contendere shall be considered a conviction for  
2           purposes of this subdivision. ~~The record of a conviction authenticated in such form~~  
3           ~~as to be admissible in evidence under the laws of the jurisdiction where convicted~~ A  
4           certified copy of a final order, decree[,] or case decision, by a court with the lawful  
5           authority to issue such order[,] decree[,] or case decision shall be admissible as prima  
6           facie evidence of such conviction.

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8           ~~5.6.~~ The applicant shall be at least 18 years old.

9  
10          ~~6.7.~~ The applicant shall have successfully completed 90 hours for the licensed residential  
11          classification, 120 hours for the certified residential classification, and 180 hours for  
12          the certified general classification, of approved real estate appraisal courses,  
13          including a course of at least 15 hours on the Uniform Standards of Professional  
14          Appraisal Practice, from accredited colleges, universities, junior and community  
15          colleges; adult distributive or marketing education programs; local, state or federal  
16          government agencies, boards or commissions; proprietary schools; or real estate  
17          appraisal or real estate related organizations. The classroom hours required for the  
18          licensed residential real estate appraiser may include the classroom hours required  
19          for the appraiser trainee. The classroom hours required for the certified residential  
20          real estate appraiser may include the classroom hours required for the appraiser  
21          trainee or the licensed real estate appraiser and may also include 30 hours of related  
22          courses in topics specified in 18 VAC 130-20-220 A 1. The classroom hours  
23          required for the certified general real estate appraiser may include the classroom

1 hours required for the appraiser trainee, the licensed residential real estate appraiser,  
2 or the certified residential real estate appraiser and may also include 30 hours of  
3 related courses in topics specified in 18 VAC 130-20-220 A 1.

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5 All applicants for licensure as a certified general real estate appraiser must complete  
6 an advanced level appraisal course of at least 30 classroom hours in the appraisal of  
7 nonresidential properties.

8  
9 ~~7.8.~~ The applicant shall ~~[execute an affidavit]~~ as part of the application for licensure  
10 ~~[attesting to, verify]~~ his experience in the field of real estate appraisal. All applicants  
11 must submit, upon application, sample appraisal reports as specified by the board. In  
12 addition, all experience must be supported by adequate written reports or file  
13 memoranda which shall be made available to the board upon request.

14  
15 a. Applicants for a licensed residential real estate appraiser license shall have a  
16 minimum of 2,000 hours appraisal experience ~~[obtained continuously over a~~  
17 ~~period of not less than 24 months]~~. Hours may be treated as cumulative in  
18 order to achieve the necessary 2,000 hours of appraisal experience.

19  
20 b. Applicants for a certified residential real estate appraiser license shall have a  
21 minimum of 2,500 hours of appraisal experience obtained ~~[continuously over~~  
22 ~~a period of not less during no fewer]~~ than 24 months. Hours may be treated  
23 as cumulative in order to achieve the necessary 2,500 hours of appraisal

1 experience.

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3 c. Applicants for a certified general real estate appraiser license shall have a  
4 minimum of 3,000 hours of appraisal experience obtained [~~continuously over~~  
5 ~~a period of not less~~ during no fewer] than 30 months. Hours may be treated  
6 as cumulative in order to achieve the necessary 3,000 hours of appraisal  
7 experience. At least 50% of the appraisal experience required (1,500 hours)  
8 must be in nonresidential appraisal assignments and include assignments  
9 which demonstrate the use and understanding of the income approach. An  
10 applicant whose nonresidential appraisal experience is predominately in such  
11 properties which do not require the use of the income approach may satisfy  
12 this requirement by performing two or more appraisals on properties in  
13 association with a certified general appraiser which include the use of the  
14 income approach.

15

16 ~~8.9.~~ Within 12 months after being approved by the board to take the examination, the  
17 applicant shall have registered for and passed a written examination endorsed by the  
18 Appraiser Qualifications Board and provided by the board or by a testing service  
19 acting on behalf of the board.

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21 ~~9.10.~~ Applicants for licensure who do not meet the requirements set forth in subdivisions 3  
22 4 and 4 5 of this section may be approved for licensure following consideration of  
23 their application by the board.

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**18 VAC 130-20-40. Qualifications for licensure by reciprocity.**

Every applicant to the Real Estate Appraiser Board for a license by reciprocity shall have met the following qualifications:

1. An individual who is currently licensed or certified as a real estate appraiser in another jurisdiction may obtain a Virginia real estate appraiser license by providing documentation that the applicant has met educational, experience and examination requirements that are substantially equivalent to those required in Virginia for the appropriate level of licensure.
2. The applicant shall be at least 18 years of age.
3. The applicant shall ~~sign~~, as part of the application, ~~[an affidavit certifying~~ verify] that the applicant has read and understands the Virginia real estate appraiser license law and the regulations of the Real Estate Appraiser Board.
4. The applicant shall be in good standing as a licensed or certified real estate appraiser in every jurisdiction where licensed or certified; the applicant may not have had a license or certification as a real estate appraiser which was suspended, revoked, or surrendered in connection with a disciplinary action or which has been the subject of discipline in any jurisdiction prior to applying for licensure in Virginia.

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5. The applicant shall be of good moral character, honest, truthful, and competent to transact the business of a licensed real estate appraiser in such a manner as to safeguard the interests of the public.

6. The applicant may not have been convicted, found guilty or pled guilty, regardless of adjudication, in any jurisdiction of a misdemeanor involving moral turpitude or of any felony. Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. ~~[The record of a conviction authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted~~ A certified copy of a final order, decree[,] or case decision, by a court with the lawful authority to issue such order[,] decree[,] or case decision] shall be admissible as prima facie evidence of such conviction.

7. Applicants for licensure who do not meet the requirements set forth in subdivisions 4 and 6 of this section may be approved for licensure following consideration by the board.

**18 VAC 130-20-50. Qualifications for temporary licensure.**

An individual who is currently licensed or certified as a real estate appraiser in another

1 jurisdiction may obtain a temporary Virginia real estate appraiser's license as required by  
2 Section 1121 of the Federal Financial Institutions Reform, Recovery and Enforcement Act of  
3 1989, 12 USCS § 1811.

4  
5 The appraiser's permanent certification or license issued by another state shall be recognized  
6 as equivalent to a Virginia license provided that:

7  
8 1. The appraiser's business is of a temporary nature, and is limited to one specific  
9 assignment not to exceed 12 months. A specific assignment may include multiple  
10 properties. The temporary assignment must be complete prior to the expiration date  
11 of the permanent certification or license issued by another state.

12  
13 ~~2. The education, experience and general examination completed in the jurisdiction of~~  
14 ~~original licensure is deemed to be substantially equivalent to those required for the~~  
15 ~~appropriate level of licensure in Virginia.~~

16  
17 ~~3.2.~~ The applicant shall [sign], as part of the application, [an affidavit certifying verify]  
18 that the applicant has read and understands the Virginia real estate appraiser license  
19 law and the regulations of the Real Estate Appraiser Board.

20  
21 ~~4.3.~~ The applicant shall be in good standing as a licensed or certified real estate appraiser  
22 in every jurisdiction where licensed or certified; the applicant may not have had a  
23 license or certification as a real estate appraiser which was suspended, revoked, or

1 surrendered in connection with a disciplinary action ~~or which has been the subject of~~  
2 ~~discipline in any jurisdiction prior to applying for licensure in Virginia.~~

3  
4 ~~5.4.~~ The applicant shall be of good moral character, honest, truthful, and competent to  
5 transact the business of a real estate appraiser in such a manner as to safeguard the  
6 interests of the public.

7  
8 ~~6.5.~~ The applicant may not have been convicted, found guilty or pled guilty, regardless of  
9 adjudication, in any jurisdiction of a misdemeanor involving moral turpitude or of  
10 any felony. Any plea of nolo contendere shall be considered a conviction for  
11 purposes of this subdivision. ~~[The record of a conviction authenticated in such form~~  
12 ~~as to be admissible in evidence under the laws of the jurisdiction where convicted~~ A  
13 certified copy of a final order, decree[,] or case decision, by a court with the lawful  
14 authority to issue such order, decree[,] or case decision] shall be admissible as prima  
15 facie evidence of such conviction.

16  
17 ~~7.6.~~ Applicants for licensure who do not meet the requirements set forth in subdivisions ~~4~~  
18 ~~3~~ and ~~6 5~~ of this section may be approved for licensure following consideration by  
19 the board.

20  
21 ~~8.~~ ~~The applicant shall be at least 18 years of age.~~

22  
23 Applicants for temporary licensure shall verify the above information on an application form

1 provided by the board. A temporary license cannot be renewed. More than one temporary  
2 license may be issued per year.

3  
4  
5 **18 VAC 130-20-60. Qualifications for licensure as an Appraiser Trainee.**

6  
7 An applicant for licensure as an appraiser trainee shall meet the following educational,  
8 experience, and examination requirements in addition to those set forth in 18 VAC 130-20-  
9 30, subsections 1 through 5 and 18 VAC 130-20-30 subsection 9.

10  
11 1. Within 12 months after being approved by the board to take the examination, the  
12 applicant shall have registered for and passed a written examination provided by the  
13 board or by a testing service acting on behalf of the board.

14  
15 2. [Within the five year period immediately preceding application for licensure,] the  
16 applicant shall have successfully completed 75 hours of approved real estate  
17 appraisal courses from accredited colleges, universities, junior and community  
18 colleges; adult distributive or marketing education programs; local, state or federal  
19 government agencies, boards or commissions; proprietary schools; or real estate  
20 appraisal or real estate related organizations. The classroom hours shall include 15  
21 hours relative to the Uniform Standards of Professional Appraisal Practice.

22  
23 3. There is no experience requirement for the appraiser trainee classification.

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4. Responsibilities of supervising appraisers are described in this subdivision.

a. The appraiser trainee shall be subject to direct supervision by a supervising appraiser who shall be state licensed or certified in good standing.

b. The supervising appraiser shall be responsible for the training and direct supervision of the appraiser trainee by:

(1) Accepting responsibility for the appraisal report by signing and certifying the report is in compliance with the Uniform Standards of Professional Appraisal Practice.

(2) Reviewing the appraiser trainee appraisal report(s); and

(3) Personally inspecting each appraised property with the appraiser trainee until the supervising appraiser determines the appraiser trainee is competent in accordance with the Competency Provision of the Uniform Standards of Professional Appraisal Practice for the property type.

c. The appraiser trainee is permitted to have more than one supervising appraiser.

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**18 VAC 130-20-70. Requirement for the certification of appraisal education instructors.**

Pursuant to the mandate of Title 11 of the Federal Financial Institutions Reform, Recovery and Enforcement Act of 1989, and § 54.1-2013 of the Code of Virginia, instructors teaching prelicense educational offerings who are not employed or contracted by accredited colleges, universities, junior and community colleges, adult distributive or marketing education programs are required to be certified by the board. ~~Instructors teaching the required continuing education course on recent developments in federal, state and local real estate appraisal law and regulation shall also be certified by the board and, at the board's discretion, may be required to attend training sessions sponsored by the board. Effective January 1, 2003 all Uniform Standards of Professional Appraisal Practice courses taught for [prelicense and] continuing education credit must be taught by instructors certified by the Appraiser Qualifications Board.~~

**18 VAC 130-20-80. Qualifications for the certification of instructors.**

The applicant shall be in good standing as a real estate appraiser in every jurisdiction where licensed or certified; the applicant may not have had a license or certification which was suspended, revoked or surrendered in connection with a disciplinary action or which has been the subject of discipline in any jurisdiction prior to applying for licensure in Virginia, and shall have:



Real Estate Appraiser Board  
Final Regulations  
Adopted 11/05/02

1	Certified General Real Estate Appraiser	\$141.00
2		
3	Temporary Certified General Real Estate	
4	Appraiser	\$45.00
5		
6	Certified Residential Real Estate Appraiser	\$141.00
7		
8	Temporary Certified Residential Real Estate	
9	Appraiser	\$45.00
10		
11	Licensed Residential Real Estate Appraiser	\$141.00
12		
13	Temporary Licensed Residential Real Estate	
14	Appraiser	\$45.00
15		
16	Appraiser Trainee	\$96.00
17		
18	Upgrade of license	\$65.00
19		
20	Instructor Certification	\$135.00
21		
22	Application fees for a certified general real estate appraiser, a certified residential	
23	real estate appraiser, a licensed residential real estate appraiser and an appraiser	

1           trainee include a \$21.00 fee for a copy of the Uniform Standards of Professional  
2           Appraisal Practice. This fee is subject to the fee charged by the Appraisal  
3           Foundation and may be adjusted and charged to the applicant in accordance with the  
4           fee charged by the Appraisal Foundation.

5  
6           2.     Examination fees. The fee for examination or reexamination is subject to contracted  
7           charges to the Department by an outside vendor. These contracts are competitively  
8           negotiated and bargained for in compliance with the Virginia Public Procurement  
9           Act (§ 11-35 et seq. of the Code of Virginia). Fees may be adjusted and charged to  
10          the candidate in accordance with this contract.

11  
12          3.     A \$50 National Registry Fee Assessment for all permanent license applicants is to be  
13          assessed of each applicant in accordance with Section 1109 of the Financial  
14          Institutions Reform, Recovery, and Enforcement Act of 1989 (12 USCS §§ 3331-  
15          3351). This fee may be adjusted and charged to the applicant in accordance with the  
16          Act. If the applicant fails to qualify for licensure, then this assessment fee will be  
17          refunded.

1 **PART III.**

2  
3 **RENEWAL OF LICENSE.**

4  
5 **18 VAC 130-20-100. Renewal required.**

6  
7 Licenses issued under this chapter for certified general real estate appraisers, certified  
8 residential real estate appraisers and licensed residential real estate appraisers and appraiser  
9 trainees and registrations issued for business entities shall expire two years from the last day  
10 of the month in which they were issued, as indicated on the license or registration.  
11 Certifications issued under this chapter for instructors shall expire two years from the last  
12 day of the month in which they were issued, as indicated on the certification.

13  
14 **18 VAC 130-20-110. Qualifications for renewal.**

15  
16 A. As a condition of renewal, and under § 54.1-2014 of the Code of Virginia, all active  
17 certified general real estate appraisers, certified residential real estate appraisers, and  
18 licensed residential real estate appraisers, resident or nonresident, shall be required to  
19 complete continuing education courses satisfactorily within each licensing term as  
20 follows:

- 21  
22 1. All real estate appraisers must satisfactorily complete continuing education  
23 courses or seminars offered by accredited colleges, universities, junior and

1 community colleges; adult distributive or marketing education programs;  
2 local, state or federal government agencies, boards or commissions;  
3 proprietary schools; or real estate appraisal or real estate related  
4 organizations of not less than 28 classroom hours during each licensing term.

5  
6  
7 2. All real estate appraisers may also satisfy continuing education requirements  
8 by participation other than as a student in educational processes and  
9 programs approved by the board to be substantially equivalent for continuing  
10 education purposes including, but not limited to teaching, program  
11 development, or authorship of textbooks.

12  
13 3. ~~Three~~ Seven of the classroom hours completed to satisfy the continuing  
14 education requirements shall be ~~a course approved by the board on recent~~  
15 ~~developments in federal, state and local real estate appraisal law and~~  
16 ~~regulation and [an update on] the [National] Uniform Standards of~~  
17 Professional Appraisal Practice [course or its equivalent].

18  
19 ~~[B. In addition to the continuing education requirements specified in subsection A of this~~  
20 ~~section all] applicants for renewal [active certified general real estate appraisers,~~  
21 ~~certified residential real estate appraisers, and licensed residential real estate~~  
22 ~~appraisers, resident or nonresident, shall be required to complete a 15-hour course in~~  
23 ~~the Uniform Standards of Professional Appraisal Practice once every six years.]~~

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~~[C.B.]~~ As a condition of renewal, all licensed real estate appraiser trainees, shall meet the continuing education requirements set forth in subsection[s] A ~~[and B]~~ of this section beginning with the second licensing term. Continuing education is not required to renew a real estate appraiser trainee license at the expiration of the first licensing term.

C. All applicants for renewal of a license shall meet the standards for entry as set forth in subdivisions 1, 3 and 4 of 18 VAC 130-20-30.

~~[D.E.]~~ Applicants for the renewal of a registration shall meet the requirement for registration as set forth in 18 VAC 130-20-20.

~~[E.F.]~~ Applicants for the renewal of a certificate as an instructor shall meet the standards for entry as set forth in 18 VAC 130-20-80.

~~[G.F.]~~ Licenseses applying to activate an inactive license must have met the continuing education requirements set forth in this section within two years prior to application to activate the license.

**18 VAC 130-20-120. Procedures for renewal.**

- 1           A.     The board will mail a renewal application form to the licensee and certificate holder  
2                     at the last known home address and to the registered firm at the last known business  
3                     address. This form shall outline the procedures for renewal. Failure to receive the  
4                     renewal application form shall not relieve the licensee, certificate holder or the  
5                     registrant of the obligation to renew.  
6
- 7           B.     Prior to the expiration date shown on the license or registration, each licensee,  
8                     certificate holder or registrant desiring to renew the license or registration shall return  
9                     to the board the completed renewal application form and the appropriate renewal and  
10                    registry fees as outlined in 18 VAC 130-20-130.  
11
- 12          C.     The date on which the renewal application form and the appropriate fees are received  
13                     by the Department of Professional and Occupational Regulation or its agent will  
14                     determine whether the licensee, certificate holder or registrant is eligible for renewal.  
15                     If either the renewal application form or renewal fee, including the registry fee, is  
16                     not received by the Department of Professional and Occupational Regulation or its  
17                     agent within 30 days of the expiration date, the licensee, certificate holder or  
18                     registrant must reinstate his license by meeting all requirements listed in 18 VAC  
19                     130-20-110 and pay a reinstatement fee as specified in 18 VAC 130-20-130. Three  
20                     months after the expiration date on the license, certificate or registration,  
21                     reinstatement is no longer possible. To resume practice, the former licensee,  
22                     certificate holder, or registrant shall reapply for licensure as a new applicant, meeting  
23                     current education, examination and experience requirements.

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**18 VAC 130-20-130. Fees for renewal and reinstatement.**

A. All fees are nonrefundable.

B. National registry fee assessment. In accordance with the requirements of Section 1109 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, \$50.00 of the biennial renewal or reinstatement fee assessed for all certified general real estate appraisers, certified residential and licensed residential real estate appraisers shall be submitted to the Appraisal Subcommittee. The registry fee may be adjusted in accordance with the Act and charged to the licensee.

Renewal and reinstatement fees for a certified general real estate appraiser, a certified residential real estate appraiser, a licensed residential real estate appraiser and an appraiser trainee include a \$21.00 fee for a copy of the Uniform Standards of Professional Appraisal Practice. This fee is subject to the fee charged by the Appraisal Foundation and may be adjusted and charged to the applicant in accordance with the fee charged by the Appraisal Foundation.

C. Renewal fees are as follows:

Certified general real estate appraiser	\$111.00
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Real Estate Appraiser Board  
Final Regulations  
Adopted 11/05/02

1	Certified residential real estate appraiser	\$111.00
2		
3	Licensed residential real estate appraiser	\$111.00
4		
5	Appraiser trainee	\$61.00
6		
7	Registered business entity	\$60.00
8		
9	Certified instructor	\$125.00
10		
11	D. Reinstatement fees are as follows:	
12		
13	Certified general real estate appraiser	\$171.00
14		
15	Certified residential real estate appraiser	\$171.00
16		
17	Licensed residential real estate appraiser	\$171.00
18		
19	Appraiser trainee	\$121.00
20		
21	Registered business entity	\$100.00
22		
23	Certified instructor	\$230.00

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**18 VAC 130-20-140. Status of licensee during the period prior to reinstatement.**

A. When a license is reinstated, the licensee shall continue to have the same license number and shall be assigned an expiration date two years from the previous expiration date of the license.

B. A licensee or certificate holder who is reinstated shall be regarded as having been continuously licensed without interruption. Therefore, the licensee or certificate holder shall remain under the disciplinary authority of the board during this entire period and may be held accountable for his activities during this period. A licensee or certificate holder who is not reinstated shall be regarded as unlicensed from the expiration date of the license forward. Nothing in these regulations shall divest the board of its authority to discipline a licensee or certificate holder for a violation of the law or regulations during the period of time for which the appraiser was licensed.

**18 VAC 130-20-150. Board discretion to deny renewal or reinstatement.**

The board may deny renewal or reinstatement of a license, certification or registration for the same reasons as it may refuse initial licensure or registration or discipline a current licensee or registrant.

1 **PART IV.**

2  
3 **STANDARDS.**

4  
5 **18 VAC 130-20-160. Grounds for disciplinary action.**

6  
7 The board has the power to fine any licensee, registrant or certificate holder, to place any  
8 licensee, registrant or certificate holder on probation, and to suspend or revoke any license,  
9 registration or certification issued under the provisions of Chapter 20.1 of Title 54.1 of the  
10 Code of Virginia, and the regulations of the board, in accordance with §§ 54.1-201(7), 54.1-  
11 202 and the provisions of the Administrative Process Act, Chapter 1.1:1 of Title 9, of the  
12 Code of Virginia, when any licensee, registrant or certificate holder has been found to have  
13 violated or cooperated with others in violating any provision of Chapter 20.1 of Title 54.1 of  
14 the Code of Virginia, any relevant provision of the Uniform Standards of Professional  
15 Appraisal Practice as developed by the Appraisal Standards Board of the Appraisal  
16 Foundation, or any regulation of the board. An appraiser trainee shall be subject to  
17 disciplinary action for his actions even if acting under the supervision of a supervising  
18 appraiser.

19  
20 **18 VAC 130-20-170. Standards of ethical conduct.**

21  
22 In obtaining a real estate appraiser license and performing a real estate appraisal, a licensee  
23 shall comply with the ~~Ethics Provisions of the~~ Uniform Standards of Professional Appraisal

1 Practice and the following standards of ethical conduct:

2

3 1. All applicants for licensure shall follow all rules established by the board with regard  
4 to conduct at the examination. Such rules shall include any written instructions  
5 communicated prior to the examination date and any instruction communicated at the  
6 site, either written or oral, on the date of the examination. Failure to comply with all  
7 rules established by the board or a testing service acting on behalf of the board with  
8 regard to conduct at the examination shall be grounds for denial of a license.

9

10 2. A licensee, certificate holder or registrant shall not obtain or attempt to obtain a  
11 license, certification or registration by false or fraudulent representation.

12

13 3. A licensee, registrant or certificate holder shall not make any misrepresentation.

14

15 **18 VAC 130-20-180. Standards of professional practice.**

16

17 A. The provisions of subsections C through J of this section shall not apply to local,  
18 state and federal employees performing in their official capacity.

19

20 B. Maintenance of licenses. The board shall not be responsible for the failure of a  
21 licensee, registrant, or certificate holder to receive notices, communications and  
22 correspondence.

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1. Change of address.
  - a. All licensed real estate appraisers, appraiser trainees, and certified instructors shall at all times keep the board informed in writing of their current home address and shall report any change of address to the board within 30 days of such change.
  - b. Registered real estate appraisal business entities shall at all times keep the board informed in writing of their current business address and shall report any change of address to the board within 30 days of such change.
2. Change of name.
  - a. All real estate appraisers, appraiser trainees, and certified instructors shall promptly notify the board in writing and provide appropriate written legal verification of any change of name.
  - b. Registered real estate appraisal business entities shall promptly notify the board of any change of name or change of business structure in writing. In addition to written notification, corporations shall provide a copy of the Certificate of Amendment from the State Corporation Commission, partnerships shall provide a copy of a certified

1 Partnership Certificate, and other business entities trading under a  
2 fictitious name shall provide a copy of the certificate filed with the  
3 Clerk of the Court where business is to be conducted.

4  
5 3. Upon the change of name or address of the registered agent, associate, or  
6 partner, or sole proprietor designated by a real estate appraisal business  
7 entity, the business entity shall notify the board in writing of the change  
8 within 30 days of such event.

9  
10 4. No license, certification or registration issued by the board shall be assigned  
11 or otherwise transferred.

12  
13 5. All licensees, certificate holders and registrants shall operate under the name  
14 in which the license or registration is issued.

15  
16 6. All certificates of licensure, registration or certification in any form are the  
17 property of the Real Estate Appraiser Board. Upon death of a licensee,  
18 dissolution or restructure of a registered business entity, or change of a  
19 licensee's, registrant's, or certificate holder's name or address, such licenses,  
20 registrations, or certificates must be returned with proper instructions and  
21 supplemental material to the board within 30 days of such event.

22  
23 7. All appraiser licenses issued by the board shall be visibly displayed.

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C. Use of signature and electronic transmission of report.

1. The signing of an appraisal report or the transmittal of a report electronically in accordance with the Appraisal Standards Board Statement on Appraisal Standard No. 8 shall indicate that the licensee has exercised complete direction and control over the appraisal. Therefore, no licensee shall sign or electronically transmit an appraisal which has been prepared by an unlicensed person unless such work was performed under the direction and supervision of the licensee in accordance with § 54.1-2011 C of the Code of Virginia.

2. All original appraisal reports shall be signed by the licensed appraiser. For narrative and letter appraisals, the signature, and final value conclusion shall appear on the letter of transmittal and certification page. For form appraisals, the signature shall appear on the page designated for the appraiser's signature and final estimate of value. All temporary licensed real estate appraisers shall sign and affix their temporary license to the appraisal report or letter for which they obtained the license to authenticate such report or letter. Appraisal reports may be transmitted electronically in accordance with Appraisal Standards Board Statement on Appraisal Standards No. 8. Reports prepared without the use of a seal shall contain the license number of the appraiser.

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- a. An appraiser may provide market analysis studies or [~~counseling~~ consulting] reports, which do not constitute appraisals of market value, provided, that such reports, studies or evaluations shall contain a conspicuous statement that such reports, studies or valuations are not an appraisal as defined in § 54.1-2009 of the Code of Virginia.
  
- b. Application of the seal and signature or electronic transmission of the report indicates acceptance of responsibility for work shown thereon.
  
- c. The seal shall conform in detail and size to the design illustrated below:



\*The number on the seal shall be the 10 digit number or the last 6 digits, or the last significant digits on your license issued by the board.

- 1           D.     Development of Appraisal. In developing a real property appraisal, all licensees  
2                   shall comply with the provisions of ~~Standard 1~~ of the Uniform Standards of  
3                   Professional Appraisal Practice in the edition in effect at the time of the reports'  
4                   preparation. If the required definition of value uses the word "market", licensees  
5                   must use the definition of market value set forth in USPAP "DEFINITIONS".  
6
- 7           E.     Appraisal report requirements. In reporting a real property appraisal, a licensee shall  
8                   meet the requirements of ~~Standard 2~~ of the Uniform Standards of Professional  
9                   Appraisal Practice in the edition in effect at the time of the reports' preparation.  
10
- 11          F.     Reviewing an appraisal. In performing a review appraisal, a licensee shall comply  
12                   with the requirements of ~~Standard 3~~ of the Uniform Standards of Professional  
13                   Appraisal Practice in the edition in effect at the time of the reports' preparation. The  
14                   reviewer's signature and seal shall appear on the certification page of the report.  
15
- 16          G.     Mass appraisals. In developing and reporting a mass appraisal for ad valorem tax  
17                   purposes, a licensee shall comply with the requirements of ~~Standard 6~~ of the Uniform  
18                   Standards of Professional Appraisal Practice in the edition in effect at the time of the  
19                   reports' preparation.  
20
- 21          H.     Record keeping requirements.
- 22
- 23           1.     A licensee or registrant of the Real Estate Appraiser Board shall, upon

1 request or demand, promptly produce to the board or any of its agents any  
2 document, book, or record in a licensee's possession concerning any appraisal  
3 which the licensee performed, or for which the licensee is required to  
4 maintain records for inspection and copying by the board or its agents. These  
5 records shall be made available at the licensee's place of business during  
6 regular business hours.

7  
8 2. Upon the completion of an assignment, a licensee or registrant shall return to  
9 the rightful owner, upon demand, any document or instrument which the  
10 licensee possesses.

11  
12 3. ~~Supervising appraisers shall make appraisal reports prepared by appraiser~~  
13 ~~trainees available to the board, at the appraiser trainee's expense, upon~~  
14 ~~request of the appraiser trainee for the purpose of documenting experience~~  
15 ~~when applying to the board for licensure. The appraiser trainee shall be~~  
16 ~~entitled to obtain copies of appraisal reports he or she prepared. The~~  
17 ~~supervising appraiser shall keep copies of appraisal reports for a period of at~~  
18 ~~least five years or at least two years after final disposition of any judicial~~  
19 ~~proceedings in which testimony was given, whichever period expires last.~~

20  
21 I. Disclosure requirements. A licensee appraising property in which he, any member of  
22 his family, his firm, any member of his firm, or any entity in which he has an  
23 ownership interest, has any interest shall disclose, in writing, to any client such

1 interest in the property and his status as a real estate appraiser licensed in the  
2 Commonwealth of Virginia. As used in the context of this chapter, "any interest"  
3 includes but is not limited to an ownership interest in the property to be appraised or  
4 in an adjacent property or involvement in the transaction, such as deciding whether  
5 to extend credit to be secured by such property.

6  
7 J. Competency. A licensee shall abide by the Competency Provision as stated in the  
8 Ethics Provision of the Uniform Standards of Professional Appraisal Practice in the  
9 edition in effect at the time of the reports' preparation.

10  
11 K. Unworthiness.

12  
13 1. A licensee shall act as a certified general real estate appraiser, certified  
14 residential real estate appraiser or licensed residential real estate appraiser in  
15 such a manner as to safeguard the interests of the public, and shall not engage  
16 in improper, fraudulent, or dishonest conduct.

17  
18 2. A licensee may not have been convicted, found guilty or pled guilty,  
19 regardless of adjudication, in any jurisdiction of the United States of a  
20 misdemeanor involving moral turpitude or of any felony there being no  
21 appeal pending therefrom or the time for appeal having elapsed. Any plea of  
22 nolo contendere shall be considered a conviction for the purposes of this  
23 subdivision. ~~The record of a conviction certified or authenticated in such~~

1 ~~form as to be admissible in evidence of the laws of the jurisdiction where~~  
2 ~~convicted~~ A certified copy of a final order, decree[,] or case decision by a  
3 court with the lawful authority to issue such order [or.] decree[,] or case  
4 decision shall be admissible as prima facie evidence of such guilt.

5  
6 3. A licensee shall inform the board in writing within 30 days of pleading guilty  
7 or nolo contendere or being convicted or found guilty, regardless of  
8 adjudication, of any felony or of a misdemeanor involving moral turpitude.

9  
10 4. A licensee may not have had a license or certification as a real estate  
11 appraiser which was suspended, revoked, or surrendered in connection with a  
12 disciplinary action or which has been the subject of discipline in any  
13 jurisdiction.

14  
15 5. A licensee shall inform the board in writing within 30 days of the suspension,  
16 revocation or surrender of an appraiser license or certification in connection  
17 with a disciplinary action in any other jurisdiction, and a licensee shall  
18 inform the board in writing within 30 days of any appraiser license or  
19 certification which has been the subject of discipline in any jurisdiction.

20  
21 6. A licensee shall perform all appraisals in accordance with Virginia Fair  
22 Housing Law, § 36-96.1 et seq. of the Code of Virginia.

23

1 **18 VAC 130-20-190. Standards of conduct for certified appraiser education instructors.**

2

3 A. Instructors shall develop a record for each student which shall include the student's  
4 name and address; the course name, the course hours and dates given, and the date  
5 the course was passed. This record shall be retained by the course provider.

6

7 B. The instructor shall not solicit information from any person for the purpose of  
8 discovering past licensing examination questions or questions which may be used in  
9 future licensing examinations.

10

11 C. The instructor shall not distribute to any person copies of license examination  
12 questions, or otherwise communicate to any person license examination questions,  
13 without receiving the prior written approval of the copyright owner to distribute or  
14 communicate those questions.

15

16 D. The instructor shall not, through an agent or otherwise, advertise its services in a  
17 fraudulent, deceptive or misrepresentative manner.

18

19 E. Instructors shall not take any appraiser licensing examination for any purpose other  
20 than to obtain a license as a real estate appraiser.

21

1 **PART V.**

2  
3 **EDUCATIONAL OFFERINGS.**

4  
5 **18 VAC 130-20-200. Requirement for the approval of appraisal educational offerings.**

6  
7 Pursuant to the mandate of Title 11 of the Federal Financial Institutions Reform, Recovery  
8 and Enforcement Act of 1989, § 54.1-2013 of the Code of Virginia, and the qualifications  
9 criteria set forth by the Appraisal Qualifications Board of the Appraisal Foundation, all  
10 educational offerings submitted for prelicensure and continuing education credit shall be  
11 approved by the board. ~~Although educational~~ Educational offerings ~~which that~~ have been  
12 approved by the ~~Appraisal Foundation's Educational Offering Review Panel~~ may Appraiser  
13 Qualifications Board shall be considered to have met the standards for approval set forth in  
14 this chapter, ~~all educational offerings must be approved by the board.~~

15  
16 **18 VAC 130-20-210. Standards for the approval of appraisal educational offerings for**  
17 **prelicensure credit.**

18  
19 A. Content.

- 20  
21 1. Prior to licensure, applicants shall have successfully completed [~~a the~~] 15  
22 [~~classroom~~] hour [~~National Uniform Standards of Professional Appraisal~~  
23 [~~Practice~~] course [~~or its equivalent in the Uniform Standards of Professional~~



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In addition, all applicants for certified residential or certified general real estate appraiser must demonstrate that their course work included coverage in narrative report writing.

3. All appraisal and appraisal related offerings presented for prelicense credit must have a final, written examination. The examination may not be an open book examination.

4. Credit toward the classroom hour requirement to satisfy the educational requirement prior to licensure shall be granted only where the length of the educational offering is at least 15 classroom hours.

B. Instruction. With the exception of courses taught at accredited colleges, universities, junior and community colleges or adult distributive or marketing education programs, all other prelicense educational offerings given after January 1, 1993 must be taught by instructors certified by the board. [All courses in the Uniform Standards of Professional Appraisal Practice must be instructed by an Appraisal Qualifications Board certified instructor.]

**18 VAC 130-20-220. Standards for the approval of appraisal educational offerings for continuing education credit.**





1           B.     Proof of completion of such course, seminar, workshop or conference may be in the  
2                     form of a transcript, certificate, letter of completion or in any such written form as  
3                     may be required by the board. All courses, seminars and workshops submitted for  
4                     prelicensure and continuing education credit must indicate the number of classroom  
5                     hours.

6  
7           C.     Information which may be requested by the board in order to further evaluate course  
8                     content includes, but is not limited to, course descriptions, syllabi or textbook  
9                     references.

10  
11          D.     All transcripts, certificates, letters of completion or similar documents submitted to  
12                     verify completion of seminars, workshops or conferences for continuing education  
13                     credit must indicate successful completion of the course, seminar, workshop or  
14                     conference. Applicants must furnish written proof of having received a passing  
15                     grade in all prelicense education courses submitted.

16  
17          E.     Credit may be awarded for prelicensure courses completed by challenge examination  
18                     without classroom attendance, if such credit was granted by the course provider prior  
19                     to July 1, 1990, and provided that the board is satisfied with the quality of the  
20                     challenge examination that was administered by the course provider.

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22          F.     All courses, seminars, workshops or conferences submitted for satisfaction of  
23                     continuing education requirements must be satisfactory to the board.

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G. Prelicense courses. A distance education course may be acceptable to meet the classroom hour requirement or its equivalent provided that the course is approved by the board~~[, the learner successfully completes a written examination proctored by an official approved by the presenting entity, college or university, the course meets the requirements for qualifying education established by the Appraiser Qualifications Board, the course is equivalent to the minimum of 15 classroom hours]~~ and meets one of the following conditions:

1. The course is presented by an accredited (Commission on Colleges or a regional accreditation association) college or university that offers distance education programs in other disciplines; ~~[the learner successfully completes a written examination personally administered by an official approved by the college or university, and the course meets the requirements for real estate appraisal-related courses established by the Appraiser Qualifications Board and is equivalent to the minimum of 15 classroom hours];~~ or
2. The course has received the American Council on Education's Program on Non-collegiate Sponsored Instruction ~~([PONSIACE/Credit Program])~~ approval for college credit~~[:] or[:; has been approved under the Appraiser Qualifications Board Course Approval Program; the learner successfully completes a written examination personally administered by an official approved by the presenting entity, and the course meets the requirements for]~~

1                   ~~real estate appraisal related courses [qualifying education established by the~~  
2                   ~~Appraiser Qualifications Board and is equivalent to the minimum of 15~~  
3                   ~~classroom hours.~~

4  
5                   3.     The course has received approval of the International Distance Education  
6                   Certification Center (IDECC) for the course design and delivery mechanism  
7                   and either the approval of the Appraisal Qualifications Board through its  
8                   course approval program or the approval of the board for the content of the  
9                   course.]

10  
11               H.     Continuing education. Distance education courses may be acceptable to meet the  
12               continuing education requirement provided that the course is approved by the [state  
13               certification/licensing authority board, is a minimum of two classroom hours, meets  
14               the requirements for continuing education established by the Appraiser  
15               Qualifications Board] and meets one of the following conditions:

16  
17               1.     The course is presented to an organized group in an instructional setting with  
18               a person qualified and available to answer questions, provide information,  
19               and monitor student attendance[, and is a minimum of 2 classroom hours and  
20               meets the requirements for continuing education courses established by the  
21               Appraiser Qualifications Board]; or

22  
23               2.     The course [either] has been presented by an accredited (Commission on

1                   Colleges or regional accreditation association) college or university that  
2                   offers distance education programs in other disciplines [and the student  
3                   successfully completes a written examination proctored by an official  
4                   approved by the presenting college or university or by the sponsoring  
5                   organization consistent with the requirements of the course accreditation; or  
6                   if a written examination is not required for accreditation, the student  
7                   successfully completes the course mechanisms required for accreditation  
8                   which demonstrate mastery and fluency (said mechanisms must be present in  
9                   a course without an exam in order to be acceptable)], or

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11                   ~~[3                   The course] has received [either approval for college credit by] the American~~  
12                   ~~Council on Education [through its 's Program on Non-collegiate Sponsored~~  
13                   ~~Instruction] (ACE/[PONSICredit Program [and the student successfully~~  
14                   ~~completes a written examination proctored by an official approved by the~~  
15                   ~~presenting college or university or by the sponsoring organization consistent~~  
16                   ~~with the requirements of the course accreditation; or if a written examination~~  
17                   ~~is not required for accreditation the student successfully completes the course~~  
18                   ~~mechanisms required for accreditation which demonstrate mastery and~~  
19                   ~~fluency (said mechanisms must be present in a course, without an exam in~~  
20                   ~~order to be acceptable)]; or approval for college credit or the Appraiser~~  
21                   ~~Qualification Board's Course Approval Program; and the course meets the~~  
22                   ~~following requirements:~~

1           4.     The course has received approval of the International Distance Education  
2                     Certification Center (IDECC) for the course design and delivery mechanism  
3                     and either the approval of the Appraiser Qualifications Board through the it's  
4                     course approval program or the approval of the board for the content of the  
5                     course and

6  
7                     ~~a.     The course is equivalent to a minimum of 2 classroom hours in length~~  
8                     ~~and meets the requirements for real estate appraisal-related courses~~  
9                     ~~established by the Appraiser Qualifications Board; and~~

10  
11                    ~~b.     ]the student successfully completes a written examination proctored~~  
12                    ~~by an official approved by the presenting college or university or by~~  
13                    ~~the sponsoring organization consistent with the requirements of the~~  
14                    ~~course accreditation; or if a written examination is not required for~~  
15                    ~~accreditation, the student successfully completes the course~~  
16                    ~~mechanisms required for accreditation which demonstrate mastery~~  
17                    ~~and fluency (said mechanisms must be present in a course without an~~  
18                    ~~exam in order to be acceptable).~~

19  
20           H.L.    A teacher of appraisal courses may receive education credit for the classroom hour or  
21                    hours taught. These credits shall be awarded only once for courses having  
22                    substantially equivalent content.

1 **18 VAC 130-20-240. Course approval fees.**

2

3 Course Approval Fee \$135.00

4

5 **18 VAC 130-20-250. Re-approval of courses required.**

6

7 Approval letters issued under this chapter for educational offerings shall expire two years  
8 from the last day of the month in which they were issued, as indicated in the approval letter.

9 The re-approval fee shall be equivalent to the original approval fee specified in 18 VAC 130-  
10 20-240.

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13 Department of Professional and Occupational Regulation

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15 FINAL – REAL ESTATE APPRAISER BOARD REGULATIONS

16

17 I certify that this regulation is full, true, and correctly dated.

18

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\_\_\_\_\_  
Christine Martine, Assistant Director

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Department of Professional and Occupational Regulation

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Date: \_\_\_\_\_